

X

CABLEVISION SYSTEMS OF NEW YORK
CITY CORP.,

Plaintiff,

-against-

ORDER
CV 01-4865(SJF)(ARL)

ANDREW'S BARBERSHOP,

Defendant.

X

FEUERSTEIN, J.

On July 23, 2001, plaintiff Cablevision Systems of New York City Corp. (plaintiff) commenced this action pursuant to, *inter alia*, 47 U.S.C. § 605 against defendant Andrew's Barbershop (defendant). By order dated May 11, 2002, the Honorable Arthur D. Spatt¹ granted plaintiff's motion for a default judgment and referred this matter to Magistrate Judge Arlene R. Lindsay for a report and recommendation as to the amount of damages and attorney's fees, if any, to be awarded to the plaintiff in accordance with 28 U.S.C. § 636(b). On August 7, 2002, Magistrate Judge Lindsay issued a Report and Recommendation (the Report) recommending that statutory damages be awarded in the amount of \$10,000.00 and that attorney's fees and costs be awarded in the amount of \$1,162.35, for a total award of \$11,162.35. No objections have been filed to the Report. For the reasons stated herein, the Court adopts Magistrate Judge Lindsay's Report in its entirety.

¹ This case was reassigned from Judge Spatt to me on October 16, 2003, was reassigned back to Judge Spatt on October 21, 2003, and was subsequently reassigned back to me on November 12, 2003.

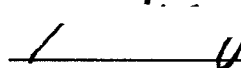
I

Rule 72 of the Federal Rules of Civil Procedure permits magistrate judges to conduct proceedings on dispositive pretrial matters without the consent of the parties. Fed. R. Civ. P. 72(b). To accept the report and recommendation of a magistrate judge to which no timely objection has been made, the district judge need only be satisfied that there is no clear error on the face of the record. See, Fed. R. Civ. P. 72(b); In re Health Management Systems, Inc. Securities Litigation, 82 F.Supp.2d 227, 230 (S.D.N.Y. 2000); Nelson v. Smith, 618 F.Supp. 1186, 1189 (S.D.N.Y. 1985). The district judge is not required to review the factual or legal conclusions of the magistrate judge as to which no objections are taken. See, Townsend v. Strack, 98 CV 5338, 2002 WL 32096572 (E.D.N.Y. May 7, 2002). Whether or not proper objections have been filed, the district judge may, after review, accept, reject, or modify any of the magistrate judge's findings or recommendations. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

II

Neither party has filed any objections to Magistrate Judge Lindsay's Report. Upon review, the Court is satisfied that the Report is not facially erroneous. Accordingly, the Court affirms and adopts Magistrate Judge Lindsay's Report in its entirety as an Order of the Court.

SO ORDERED.



SANDRA J. FEUERSTEIN
United States District Judge

Dated: March 31, 2006
Central Islip, New York

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